

State of Utah

Department of Natural Resources

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas & Mining

JOHN R. BAZA
Division Director

JON M. HUNTSMAN, JR. Governor

GARY R. HERBERT Lieutenant Governor

February 3, 2006

Mr. David Penney 2400 East 30 South Box 312 Beaver, Utah 84713-0312

Subject: Extension of Abatement Date, Cessation Orders, Penney's Gemstones, Sliver 1-2,

MC-2005-04-05, S/001/035, Beaver County, Utah and Little Spot, MC-2005-04-

04, S/027/024, Millard County Utah

Dear Mr. Penney:

This letter is in response to your January 21, 2006 letter, wherein you request a time extension to complete the abatement for the above referenced Cessation Orders. I have discussed your situation with Mary Ann Wright, the Informal Conference Officer and she has agreed to allow you an additional 2 weeks to complete the abatement requirements. You now have until February 24, 2006 to complete the abatement requirements. Enclosed please find the modification notices that provide for the extension. Please pay particular attention to all of the abatement requirements. It is imperative that you complete the requirements as outlined and as discussed in the Informal Conference held on January 10, 2006.

We recognize that some of the requirements may take some time to complete (such as securing additional bond) and encourage you to commence the process of resolving these issues as quickly as possible. Thank you for your cooperation.

If you have any questions regarding this action please contact me at 801-538-5325.

Sincerely,

Daron Haddock Permit Supervisor

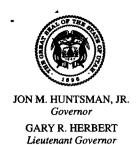
Minerals Regulatory Program

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DRH:pb

Attachments: Modifications to CO's

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Sta of Utah DEPARTMENT OF NATURAL RESOURCES Division of Oil, Gas & Mining

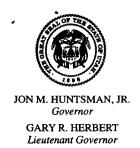
MICHAEL R. STYLER Executive Director JOHN R. BAZA Division Director

Page 1 of <u>1</u>

MODIFICATION of Notice of Violation / Cessation Order

Name:	To the following Permittee or Operator:	
Mine Name:Little Spot	Name: David Penney	
Utah Mined Land Reclamation Act, Section 40-8-1 et. seq., Utah Code Annotated (1953): Cessation Order No MC-2005-04-04 dated September 1, 2005 Part 1 s modified as follows: The abatement date is modified to February 24, 2006. By this date, Mr. Penney is to do the following: 1.) Post \$8,800 additional bond (in addition to the \$9800 bond posted with the BLM) to cover 5 acres of disturbance and put Division of Oil, Gas, and Mining on all bonding instruments. In addition, fill out a Reclamation Contract and attach an accurate map. 2.) Mark the five acres of disturbance on the ground with fence posts or equivalent, 3.) Provide an accurate legal description for the disturbance. Reason for modification is: Mr. Penney requested this extension because he will be out of town. This extention request was received by email on January 25, 2006. While Mr. Penney has completed seeding of area surrounding the disturbance, he has not submitted an adequate surety to cover the remaining disturbance nor has he completed all the permitting requirements of the site according to the Small Mine rules. This modification will allow the time necessary to complete the requirements in accordance with the agreements made during the informal conference held January 10, 2006. Date of service/mailing: February 1,2006 Time of service/mailing 3:00 PM a.m. p.m. Date of inspection: June 30, 2005 David Penney Permittee or Operator Representative Title Signature Thomas Munson Reclamation Specialist III	Mailing Address: 2400 East 30 South, Box 312, Beaver	r, Utah 84713-0312
Cessation Order NoMC-2005-04-04 dated September 1, 2005 Part I of I is modified as follows: The abatement date is modified to February 24, 2006. By this date, Mr. Penney is to do the following: 1.) Post \$8,800 additional bond (in addition to the \$9800 bond posted with the BLM) to cover 5 acres of disturbance and put Division of Oil, Gas, and Mining on all bonding instruments. In addition, fill out a Reclamation Contract and attach an accurate map. 2.) Mark the five acres of disturbance on the ground with fence posts or equivalent. 3.) Provide an accurate legal description for the disturbance. Reason for modification is: _Mr. Penney requested this extension because he will be out of town. This extention request was received by email on January 25, 2006. While Mr. Penney has completed seeding of area surrounding the disturbance, he has not submitted an adequate surety to cover the remaining disturbance nor has he completed all the permitting requirements of the site according to the Small Mine rules. This modification will allow the time necessary to complete the requirements in accordance with the agreements made during the informal conference held January 10, 2006. Date of service/mailing: _February 1,2006 Time of service/mailing 3:00 PM a.m p.m. Date of inspection: June 30, 2005 David Penney	Mine Name: Little Spot	Permit Number: <u>S/027/024</u>
Part	Utah Mined Land Reclamation Act, Section 40-8-1 et. seq., Utah Code Annotated (1953):	
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MICHAEL R. STYLER Executive Director JOHN R. BAZA
Division Director

Page 1 of <u>1</u>

MODIFICATION of Notice of Violation / Cessation Order

To the following Permittee or Operator:	
Name: David Penney	
Mailing Address: 2400 East 30 South, Box 312, Beaver,	Utah 84713-0312
Mine Name: Sliver 1-2	Permit Number:
Utah Mined Land Reclamation Act, Section 40-8-1 et. seq., U	Itah Code Annotated (1953):
Cessation Order No MC-2005-04-05	_ dated September 1, 2005
Part 1 of 1 is modified as follows: The abatement	date is modified until February 24, 2006. By this
date, Mr. Penney is to obtain the rights to mine from Ka	arl Truman or begin reclamation of the mine.
•	
Reason for modification is: <u>In an emailed letter received Ja</u>	nuary 25, 2006, Mr. Penney stated he could not meet
the deadline of February 7, 2006 imposed because of hi	s being out of town. It should be noted that the actual
deadline was February 10, 2006. This extension will al	low him 2 additional weeks until February 24, 2006. If
he has not completed his transaction with Mr. Truman b	by this date then immediate reclamation will be
required	
Date of service/mailing: February 1,2006	_ Time of service/mailing <u>3:00 PM</u> ☐ a.m. ☒ p.m.
Date of inspection: June 30, 2005	
David Penney	
Permittee or Operator Representative	Title
Signature	
Thomas Munson	Reclamation Specialist III
Division of Oil, Gas & Mining Representative	Title
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